

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

IN RE: YASMIN AND YAZ)	
(DROSPIRENONE) MARKETING, SALES)	3:09-md-02100-DRH-PMF
PRACTICES AND PRODUCTS LIABILITY)	
LITIGATION)	MDL No. 2100

This Document Relates to:

Leticia Hernandez, et al. v. Bayer HealthCare Pharmaceuticals Inc., et al.¹	No. 3:11-cv- 10292-DRH-PMF
Marilyn Guhl, et al. v. Bayer HealthCare Pharmaceuticals Inc., et al.²	No. 3:11-cv- 10118-DRH-PMF
Ashley Francis v. Bayer HealthCare Pharmaceuticals Inc., et al.	No. 3:11-cv- 10525-DRH-PMF
Natalie Cavanaugh, et al. v. Bayer HealthCare Pharmaceuticals Inc., et al.³	No. 3:11-cv- 10800-DRH-PMF
Sandra Joyce, et al. v. Bayer HealthCare Pharmaceuticals Inc., et al.⁴	No. 3:11-cv- 10817-DRH-PMF

¹ This motion applies to plaintiff Leticia Hernandez only.

² This motion applies to plaintiff Amanda Lawson only.

³ This motion applies to plaintiff Kristen St. Martin only.

⁴ This motion applies to plaintiff Genthian Solorzano only.

**ORDER ON BAYER HEALTHCARE PHARMACEUTICALS INC.'S MOTION
TO DISMISS WITHOUT PREJUDICE**

This matter is before the Court on defendant Bayer HealthCare Pharmaceuticals Inc.'s ("Bayer") motion for an Order dismissing plaintiffs' claims without prejudice for failure to file an appearance as required by Local Rule 83.1(g)(2). None of the plaintiffs have filed a response to Bayer's motion to dismiss.

On September 23, 2011, the Court granted motions to withdraw filed by plaintiffs' counsel in the *Hernandez*, *Guhl*, *Francis*, *Cavanaugh*, and *Joyce* matters. (*Hernandez* Doc. 10; *Guhl* Doc. 11; *Francis* Doc. 10; *Cavanaugh* Doc. 9; *Joyce* Doc. 9.) The Court directed plaintiffs' counsel to serve a copy of this order upon the newly pro se plaintiffs as required by Local Rule 83.1. Despite this order, plaintiffs have not filed a supplementary appearance as required by Local Rule 83.1(g).

Plaintiffs must comply with the Local Rules and this Court's orders. Fed. R. Civ. P. 41(b); *Mortgage Elec. Registration Sys., Inc. v. Pritchett*, No. 07-0885-DRH, 2008 WL 4846602, at *1 (S.D. Ill. Nov. 6, 2008) (a pro se plaintiff who does not file an appearance may be dismissed for failure to prosecute). In addition, plaintiffs' delay and apparent disinterest in this litigation has prejudiced Bayer. Their Plaintiff Fact Sheets were due on or before October 7, 2011.⁵ To date, and in violation of Case Management Order 12, none has served a fact sheet.

⁵ Bayer answered the *Hernandez* complaint on August 23, 2011 (*Hernandez* Doc. 7), the *Guhl* complaint on August 16, 2011 (*Guhl* Doc. 6), the *Francis* complaint on August 1, 2011 (*Francis*

Accordingly, for the reasons stated herein, plaintiffs' actions are hereby dismissed without prejudice.

IT IS SO ORDERED.

Signed this 21st day of December, 2011.

 David R. Herndon
2011.12.21
16:02:13 -06'00'

**Chief Judge
United States District Court**

Doc. 7), the *Cavanaugh* complaint on August 16, 2011 (*Cavanaugh* Doc. 6), and the *Joyce* complaint on August 16, 2011 (*Joyce* Doc. 6).